



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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May 1, 2001

William E. Day  
521 East 1910 South  
Orem, Utah 84057

Re: Deficient Notice of Intention to Commence Small Mining Operations, Temple Strike Project, S/039/015, Sanpete County, Utah

Dear Mr. Day:

Thank you for your Notice of Intention to Commence Small Mining Operations and initial permit application fee, received by the Division on April 10, 2001. The proposed Temple Strike Project is located in the NW1/4 of the NW1/4 of the NW1/4 of Section 21, T19S, R2E, SLBM, Sanpete County, Utah. The application is **not complete**. The following information is required by the Division **before you can begin your operations**.

An inspection of the site on April 25, 2001 found that the described location is incorrect. About one-half of the proposed operation is located in Southwest 1/4 of the Southwest 1/4 of Section 16. Please revise your notice to correctly describe the location.

The Notice also indicates that the proposed project is all on private lands (including minerals) owned by Erval Hansen. The GPS survey completed during the April 25, 2001 inspection (map attached) shows that almost one-half (0.6 acres) of the proposed 1.3 acres is on lands owned by the School and Institutional Trust Lands Administration (SITLA), who also owns the minerals. Before you can remove any stone from SITLA lands, you will need to obtain a mineral lease from that agency. Please contact John Blake at (801) 538-5152.

You requested variances from several items as discussed below:

Items #2, 3, 4, and 5, which deal with reclamation of shafts and tunnels, drill holes, berms, fences or barriers above highwalls and toxic materials. Since these items are not part of your mining plan, a variance for their reclamation is not needed.

Item 12 – soils and seedbed preparation (6 inch depth). Your Notice indicates that there is not sufficient soil available to accomplish this. On April 25, 2001, the site was inspected to determine the availability of soil materials (copy of inspection memo enclosed). The area was found to have very little soil available, with rock outcrop covering the majority of the site. As you stated during the inspection, you will save the available soil materials and will make up some of the soil deficit with topsoil that the landowner will make available for reclamation. This variance is **approved**.

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April 26, 2001 Item 13 – seeding with a grass, forbs and browse - Your notice indicates that the landowner desired a grass mix to be compatible with his ranching operation. The Division hereby **approves** this variance to be consistent with the landowners post mining use of the property. Please note, you will still be required to seed a mixture of grass, forb and shrub species on the SITLA portion of your area.

In accordance with rule R647-3-105 regarding the project location, the areas to be disturbed should be plotted on a map in sufficient detail so that they can be located on the ground (the attached map will meet this requirement). It is also required that the operator mark the proposed (5 acre or less) disturbed area boundary (including access/haul roads) in the field with metal T-Posts (or with some other marker of equal effectiveness). Markers must be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

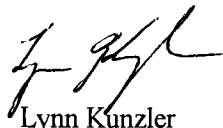
The Utah Mined Land Reclamation Act of 1975 [40-8-7(I)] provides the authority for fee implementation which was approved by the Utah Legislature at its 1998 session. Commencing July 1, 1998, the fees are assessed to new and existing notices of intention, and annually thereafter. Small Mining Notices require a \$100.00 annual fee.

For your reference, I have attached copies of our summarized rules regarding "Operation and Reclamation Practices," and the statutory penalty for failure to reclaim a minesite (SMO-1). Please give special consideration to item #10 of the "Operation and Reclamation Practices. Stockpiling topsoil material prior to beginning your mining operation will help ensure successful revegetation efforts upon final reclamation of the minesite. If the area being mined is a solid rock outcrop, or if the land surface is very rocky, then soil stockpiling is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements. Approval of a large mining notice could take from six to twelve months or longer.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,



Lynn Kunzler  
Senior Reclamation Specialist

jb  
Attachments: SMO 1-2, Inspection Memo  
cc: John Blake, SITLA  
S39-15-apv.doc